

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ARNOLD WANDEL, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

HERBERT W. BOYER, Ph.D., WILLIAM M.
BURNS, ERICH HUNZIKER, Ph.D.,
JONATHAN K.C. KNOWLES, Ph.D., ARTHUR
D. LEVINSON, Ph.D., DEBRA L. REED,
CHARLES A. SANDERS, M.D., GENENTECH,
INC., AND ROCHE HOLDING AG,

Defendants.

CASE NO.: CV 08-3543 (SC)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT**

JOHN P. McCARTHY PROFIT SHARING
PLAN, individually and on behalf of all Others
similarly situated,

Plaintiff,

v.

GENENTECH, INC., ROCHE HOLDING, LTD,
ROCHE HOLDINGS, INC., ROCHE HOLDING
AG, ARTHUR D. LEVINSON, HERBERT W.
BOYER, WILLIAM M. BURNS, ERICH
HUNZIKER, JONATHAN K.C. KNOWLES,
DEBRA L. REED, AND CHARLES SANDERS,

Defendants.

CASE NO.: CV 08-3720 (JCS)

ERNEST GOTTDIENER, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

ARTHUR D. LEVINSON, Ph.D., CHARLES A.
SANDERS, M.D., JONATHAN K.C. KNOWLES,
Ph.D., WILLIAM M. BURNS, ERICH
HUNZIKER, Ph.D., HERBERT W. BOYER,
Ph.D., DEBRA L. REED, GENENTECH, INC.
and ROCHE HOLDING AG,

Defendants.

CASE NO.: CV 08-3753 (JL)

WHEREAS, Plaintiff Arnold Wandel filed a Complaint on July 23, 2008 against
Defendants Herbert W. Boyer, Ph.D., William M. Burns, Erich Hunziker, Ph.D., Jonathan K.C.
Knowles, Ph.D., Arthur D. Levinson, Ph.D., Debra L. Reed, Charles A. Sanders, M.D.,
Genentech, Inc., and Roche Holding AG;

WHEREAS, Plaintiff John P. McCarthy Profit Sharing Plan filed a Complaint on August
4, 2008 against Defendants Genentech, Inc., Roche Holding, LTD, Roche Holdings, Inc., Roche
Holding AG, Arthur D. Levinson, Herbert W. Boyer, William M. Burns, Erich Hunziker,
Jonathan K.C. Knowles, Debra L. Reed, and Charles Sanders;

WHEREAS, Plaintiff Ernest Gottdiener filed a Complaint on August 5, 2008 against
Defendants Arthur D. Levinson, Ph.D., Charles A. Sanders, M.D., Jonathan K.C. Knowles,

1 Ph.D., William M. Burns, Erich Hunziker, Ph.D., Herbert W. Boyer, Ph.D., Debra L. Reed,
2 Genentech, Inc., and Roche Holding AG;

3 WHEREAS, the undersigned parties have met and conferred and anticipate that these
4 actions are related;

5 WHEREAS, the undersigned parties further anticipate that these related actions will be
6 consolidated and that, following appointment of a lead plaintiff and lead counsel by the Court, a
7 Consolidated Amended Class Action Complaint will be filed;

8 WHEREAS, no defendant, by agreeing to this stipulation, waives any right to object to
9 service or the jurisdiction of this Court;

10 WHEREAS, the undersigned parties wish to avoid burdening the Court with unnecessary
11 motion practice;

12 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
13 subject to approval of the Court, as follows:

14 1. No defendant need respond to any of the initial complaints filed in the above-
15 captioned matters;

16 2. Lead Plaintiffs shall file a Consolidated Amended Class Action Complaint no
17 later than sixty (60) days after the appointment of Lead Plaintiffs and approval of Lead Counsel;

18 3. Defendants shall answer or otherwise respond to the Consolidated Amended
19 Complaint no later than forty-five (45) days after the Consolidated Amended Complaint is filed.
20

21 Dated: August 21, 2008

Respectfully submitted,

22 WILSON SONSINI GOODRICH & ROSATI
23 Professional Corporation

24 By: _____/s/
25 Ignacio E. Salceda

26 Attorneys for Defendants
27 GENENTECH, INC. AND ARTHUR D.
28 LEVINSON

Dated: August 21, 2008

KAPLAN, FOX & KILSHEIMER, LLP
Laurence D. King
Louis A. Kessler
350 Sansome Street, Suite 400
San Francisco, CA 94104
Telephone: (415) 772-4700
Facsimile: (415) 772-4707

By: /s/ Laurence D. King

Attorneys for Plaintiff Ernest Gottdiener, and
all others similarly situated

-and-

BULL & LIFSHITZ, LLP
Peter D. Bull
Joshua M. Lifshitz
18 East 41st Street
New York, NY 10017
Telephone: (212) 213-6222
Facsimile: (212) 213-9405

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

United States District Judge